

# **United States District Court**

For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
OR THE NORTHERN DISTRICT OF CALIFORNIA

11 DAVID SETTERBERG, No. C-05-1533 MMC  
12 Plaintiff,  
13 v.  
14 NEWPORT NEWS SHIPBUILDING AND ORDER DENYING MOTION TO  
DRY DOCK COMPANY et al., (Docket No. 8)  
15 Defendants.

18 Before the Court is the motion filed June 24, 2005 by plaintiff David Setterberg to  
19 continue the August 19, 2005 case management conference in the above-titled action.  
20 Plaintiff argues that a continuance is appropriate because defendants may ask the Judicial  
21 Panel on Multi-District Litigation (“MDL Panel”) to transfer this action to the United States  
22 District Court for the Eastern District of Pennsylvania for coordinated or consolidated  
23 pretrial proceedings, and if defendants do so, it is unlikely that the MDL Panel will rule on  
24 that request prior to the current case management conference date. As no defendant has  
25 yet sought to transfer the above-titled action, however, plaintiff’s request for a continuance  
26 is premature.

27 Accordingly, plaintiff's motion to continue the case management conference is  
28 hereby DENIED, without prejudice.

1           This order terminates Docket No. 8.  
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3           **IT IS SO ORDERED.**

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Dated: June 30, 2005  
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/s/ Maxine M. Chesney  
MAXINE M. CHESNEY  
United States District Judge